

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

PARAMOUNT CONSTRUCTION

PLAINTIFF

V.

CIVIL ACTION NO. 3:17-CV-00242-NBB-RP

BERNARD SNYDER and
LINDA SNYDER

DEFENDANTS

ORDER

This cause comes before the court, *sua sponte*, for entry of an order to remand the above-styled and numbered case. Plaintiff Paramount Construction filed the instant landlord-tenant dispute and asserts two counts against the defendants: 1) to show cause as to why they should not be evicted from the premises, and 2) to pay overdue rent in the amount of \$3500. Defendant Bernard Snyder timely removed the action to this court and argues that this court has federal question jurisdiction because, he asserts, Paramount has violated the Fair Housing Act. *See* 42 U.S.C. § 1331; 42 U.S.C. §§ 3601- 3631.

After reviewing Paramount's pleadings, it is clear that no federal claim has been asserted. Snyder seemingly contends that he has either a federal defense in the instant suit or a federal counter-claim against Paramount, or perhaps both. Neither, however, is sufficient to create jurisdiction where it otherwise does not exist. *See Holmes v. Group, Inc. v. Vornado Air Circulation Sys.*, 535 U.S. 826, 831 (2002); *Caterpillar, Inc. v. Williams*, 482 U.S. 386, 393 (1987). Further, Snyder does not argue nor do the pleadings demonstrate that diversity jurisdiction exists in the instant case. *See* 42 U.S.C. § 1332.

For these reasons, the court finds that it lacks subject matter jurisdiction over the claims asserted. It is, therefore, **ORDERED AND ADJUDGED** that this case is hereby remanded to the Justice Court of Desoto County, Mississippi.

This, the 14th day of December, 2017.

/s/ Neal Biggers

NEAL B. BIGGERS, JR.

UNITED STATES DISTRICT JUDGE